Mr. K. Narayana Menon *(Mulakunnathukavu):* I understand that these officers are now inspecting the stock, etc.

Rama Varmha Tampuran, M.B.E. *(Secretary to Government):* We are now concerned with the Paper Control Order and under that order the stocks of these licensed shops are being inspected by the Field Officers. Any officer can be empowered under this order to do the function under the paper distribution order. Therefore it would be quite appropriate if a Field Officer is asked to do this work along with other work.

Demands put and carried

ADJOURNMENT MOTION

On the indifference shown in the preparation of the Preliminary Electoral Roll

Mr. President: The House will now discuss Mr. Krishna Menon's motion to adjourn the business of the House.

Mr. M. Krishna Menon *(Trichur-North):* Sir, I rise to move that the Council be now adjourned to discuss a matter of urgent public importance namely the indifference with which the Preliminary Electoral Roll has been prepared and published. Before I dwell upon this motion I feel it my duty to thank the Hon'ble President and the Members of this House for giving me an opportuity to discuss this important subject. Sir, the inauguration of this Hon'ble House connotes the ardent desire on the part of His Highness the Maharaja to associate his loyal subjects in the Government of the State. I may also say that the Preliminary Electoral Roll has its basis the voting capacity of the subjects, and this boon which is a much honoured one has been conspicuously breached so far as the preparation of the recent electroal rolls is concerned. Rule 7 of the Electoral Rules says "An Electoral Roll shall be prepared for every constituency on which shall be entered the name of all persons prima facie entitled to be registered as electors for that constituency. It shall be published in the Gazette together with a notice specifying the mode in which and the time within which any person whose name is not entered in the roll and who claims to have it inserted therein or any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person on the roll, may prefer a claim or objection to the Revising Authority". True it is that there is this provision, a glaring provision for making corrections at the proper time. But the use of the word "shall" in that article connotes that prima facie the names of all voters who are entitled to vote shall be found there. I wish to bring to the notice of the Government that there is much indifference. I have no hesitation to use the word "indifference". It is not my idea to cast any slur upon any officer, but the fact remains that when I perused the list for Trichur-North, I was aware that in the last bye-election there were about 3500 names, but this time it comes to 2188 only, if I remember correct. About a thousand and odd names of voters are not found there. Now turning to the Ernakulam constituency, when I examined the Preliminary Electrol Rolls to see whether, Sir George Boag's name was there, I found that it was not there. I am afraid whether the name of the Hon'ble Member for Revenue is on the Electoral Rolls in Trichur-North.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* It is not.

Mr. M. Krishna Menon *(Trichur-North):* I again found that in the Trichur Electoral Area the name of Mr. Komatil Achutha Menon was omitted. I reported and the name was got included to be published in the proper place. Sins of omission so far as this matter is concerned Sir, are equally culpable as sins of commission so far as the preparation of the rolls is concerned, I may say that whatever repercussions may ensue in regard to the discussion of this all important subject, it is my duty to bring to the notice of the Government the haphazardness, the indifference, the callousness, I would say, with which this Electoral Roll has been prepared. I am also aware of the difficulties in regard to the staff and the short space of time allowed for the preparation of the Electoral Rolls. Nevertheless, when things have to be done, they have to be done in the most sincere way. Some kind of Electoral Rolls won't do. The names of voters who are entitled to franchise must be there. Simply to have a draft which is meaningless and then to give some room for correction won't do. Of course there is provision for it, but there is not that political consiouness throughout the Cochin State to have all the necessary corrections. We know who the voters are. Also this time the Electoral Roll has not been published in the Gazette. It has become very difficult for everybody to go to the registration officer to verify whether his name is there or not. I have to bring to the notice of the Government the real difficulties the voter is put to. To section 4 of Schedule II, I would just like to draw the attention of the House.

"A person shall be qualified as an elector for a general constituency who.—

(*a*) is a pattadar of the State whose land is charged to any land revenue assessment, or

(*b*) is a State Devaswam tenant holding land charged to any land revenue assessment, or

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(c) is a tenant or a land-holder holding land in the State on kanom, adima, anubhogam' inam and other cognate tenures charged to any land revenue assessment; etc." So that, only if you analyse and examine the whole Electoral Roll which has been published preliminarily, conspicuously we find a number of names omitted. I would not like to waste the time of this Hon'ble House detailing every item here. I would say that proper attention which is due so far as the preparation of the Electoral Roll is concerned has not been bestowed upon it.

Sir, representative Government! Can we ever imagine with the present Electoral Rolls we can have a representative body here? I fail to see. My suggestion at this juncture would be that at least in future the preparation of the Electoral Rolls shall be entrusted to a non-official Committee of three or four respectable persons in every locality who will take real interest. That is my humble suggestion. Many of the Hon'ble Members would like to subscribe to the views in regard to the discussion of this subject, but I would request all of them to co-operate a bit and that this discussion is not one merely to be talked out but that it will assume some concrete result in the shape of voting. Sir I have done.

Mr. C. V. Iyyu (*Kunnamkulam*) : I also agree with the Hon'ble Member for Trichur-North that the list of voters prepared this time is done though not in a haphazard way but in a hurried way and in a very imperfect way. The theory that a representative Government can be had only with full representation of all voters entitled for voting is also perfectly correct. But the larger issue we have now to consider is whether the life of this House will have to be extended or the date of the election will have to be extended.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: We do not want to extend the date of the election.

Mr. C. V. Iyyu *(Kunnamkulam)*: I would support it if the life of the Council is not to be extended or if the date of the election is not to be extended. If the date of the election is to be postponed it should not be after the 15th of Edavam. The election has to be in the first week of Edavam, If the present tentative date fixed by Government whatever it be is not after the middle of Edavam, I think the voter's list can be corrected as much as possible. Under the Electoral Rules several processes have to be undergone. Time is required for giving nomination papers, for receiving objections and then for having elections. All these processes have to be undergone. Under the circumstances I doubt very much whether we may have the election on the first week of Edavam.

Then with regard to the suggestion that hereafter the list of voters have to be prepared by non-official committees, I wish to point out that even now non-official bodies like the Panchayats are preparing the voter's list for their elections. It is being done by the Panchayats themselves and there will be several complaints that persons who are entitled to vote are not put in, etc. The only machinery that would work is the Revenue Department and that is the most competent body to do that work. But they cannot work with the staff they already have. The only solution for such things is to appoint as in 1113 a Special Staff for the purpose, appoint a Special Officer for the purpose, make all possible enquiries and make the list as perfect as possible, and then publish the Preliminary Electoral Roll. If the Government had adopted that method, the list of voters would have been more correct than it is now. So I only wish to support this motion on this ground that the election date will not be postponed.

മിസ്റ്റർ കെ. എസ്സ്". പണിക്കർ: സർ, ബഹുമാനപ്പെട്ട ഇഴുവപേരുർ വടക്കെനി യോജകമണ്ഡലം മെമ്പർ അവർകൾ പറഞ്ഞതിൽ വളരെ വാസ്തവമുണ്ട്". വോട്ടർമാരുടെ ലിസ്റ്റ് തയ്യാറാക്കിയതിൽ വളരെ അധികം ആളുകളുടെപേർ വിട്ടുപോയിട്ടുണ്ട്". അതിനുള്ള പ്രധാന കാരണം നാലാണ്", ഒന്നു വേഗത്തിൽ വോട്ടർമാരുടെ ലിസ്റ്റുകൾ തയ്യാറാക്കുവാനുള്ള കല്പനകൾ കൊടുത്തു. ബഹുമാനപ്പെട്ട ചില മെമ്പർ പറഞ്ഞതുപോലെ, നെല്ലുവാങ്ങുന്നതിനും മറ്റും ജാകത്തുകന്മാരായിരുന്ന വില്ലേജുദ്യോഗസ്ഥന്മാർക്ക്", ഇത്രടി വസത്തിനകം വോട്ടേഴ്സ് ലിസ്റ്റ് തയ്യാറാക്കി അയച്ചുകൊള്ളണമെന്ന മേലധികാരത്തിലെ കല്പനകൾ കിട്ടിയതുകൊണ്ട്" അവർക്ക വളരെ വേഗത്തിൽ ലിസ്റ്റുകൾ തയ്യാറാക്കി അയക്കേണ്ടിവന്നു.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur)*: Is there not a register of Taxpayers?

Mr. C. V. Iyyu *(Kunnamkulam)*: There will be a register as far as the Pandaravaka lands are concerned.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur)*: Are all the names entered in this list?

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Mr. President: Order, order.

*മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഈ വോട്ടർമാരുടെ ലിസ്റ്റിൽ വില്ലേജുദ്യോഗസ്ഥന്മാക്ക് അറിയാവുന്നതൊക്കെ പെടുത്തീട്ടുണ്ട്. സ്റ്റുഡന്റൈനൽ പാസ്സായിട്ടുള്ളവരുടെ പേരുകളും ചിലതു് ഇതിൽപെട്ടിട്ടുണ്ടാകയില്ല. യുദ്ധംമൂലം വളരെ അധികം ആളുകളുടെ പേരിൽ വസ്തുക്കളും കിട്ടീട്ടുണ്ട്. അവരുടെപേരിൽ പട്ടയം കിട്ടിട്ടില്ലാത്തതുകൊണ്ടു് അവരുടെ പേരു ഇതിൽപെട്ടിട്ടുണ്ടാകയില്ല. ഇങ്ങിനെയുള്ള പല വിഷമതകളും വന്നുപോയിട്ടുണ്ടു്.

മൂന്നാമതായി കടലാസ്സിന്റെ ദൌർല്ലഭ്യം വളരെയുണ്ടു്. വല്ല കടലാസും അവിടന്നും ഇവിടന്നും കിട്ടീട്ടാണു് അവർ ഇതു് എഴുതി തീർത്തിട്ടുള്ളതു്. ഇതു് എന്റെ അനുഭവത്തിൽ പെട്ടിട്ടുള്ള സംഗതിയാണു്. നാലാമത്തെ വിഷമം ഈ വില്ലേജുദ്യോഗസ്ഥന്മാർ സ്റ്റാഫ് സെലക്ഷൻ ബോർഡിൽനിന്നും നിയമിക്കപ്പെട്ടിട്ടുള്ളവരല്ല എന്നുള്ളതാണു്. അവർ തയ്യാറാക്കീട്ടുള്ള ലിസ്റ്റിൽ വളരെ പിശകുകളും സംഭവിച്ചിട്ടുണ്ടെന്നു പറഞ്ഞുകേട്ടതിൽ എനിക്കു വളരെ വ്യസനമുണ്ടു്. വില്ലേജുദ്യോഗസ്ഥന്മാരുടെ നിയമനം വകുപ്പദ്ധ്യക്ഷന്മാരുടെയുക്തംപോലെ പ്രാപ്തിയും യോഗ്യതയുംനോക്കി നടത്തുകയാണു് ചെയ്യുന്നതു്. അങ്ങിനെ വില്ലേജ് ഗവർണ്മെർമാരായി നിയമിച്ചിട്ടുള്ള ആളുകളും തയ്യാറാക്കിയ ഈ ലിസ്റ്റിൽ വളരെ ആളുകളുടെ പേർ ചേർക്കാൻ വിട്ടുപോയിട്ടുണ്ടെങ്കിൽ അതിൽ ഇത്ര വ്യസനിക്കാനൊന്നുമില്ല. അവരുടെ പ്രാപ്തി ഇത്രയെയുള്ളുവെന്നു മനസ്സിലാക്കാം. ഇത്ര വലിയ കാര്യക്ഷമതവാദം സ്റ്റാഫ്സെലക്ഷൻ ബോർഡിൽനിന്നും നിയമിച്ചിട്ടുള്ള ഉദ്യോഗസ്ഥന്മാരെക്കുറിച്ചുണ്ടായിട്ടില്ല. അതുകൊണ്ടാണു് വില്ലേജുദ്യോഗസ്ഥന്മാരുടെ നിയമനംകൂടി സ്റ്റാഫ്സെലക്ഷൻ ബോർഡിന്റെ പരിധിയിൽപെടുത്തണമെന്നു നിയമസഭ അഭിപ്രായപ്പെട്ടിട്ടുള്ളതു്. ഇതു് അനുഭവമുള്ള സംഗതിയാണു്. ഈവക കാരണങ്ങളാലാണു് ഇതിൽ പിശകുണ്ടായിട്ടുള്ളതു്. അതുകൊണ്ടു മേലാൽ ധാരാളം സമയം വില്ലേജുദ്യോഗസ്ഥന്മാക്കു വോട്ടർമാരുടെ ലിസ്റ്റു തയ്യാറാക്കുന്നതിനു കൊടുത്താൽ ഈവക പിശകുകളും അധികം ഉണ്ടാകുന്നതല്ല. അവക്കു വില്ലേജു മാനുവലിൽ ഉള്ള ജോലിയെ കൊടുക്കാൻ പാടുള്ളു. ഇപ്പോൾ വില്ലേജുദ്യോഗസ്ഥന്മാക്കു നെല്ലുവാങ്ങുവാൻ പോകണം, ൨൪ മണിക്കൂറിനുള്ളിൽ ലിസ്റ്റു തയ്യാറാക്കി സമർപ്പിക്കണം എന്നുള്ള കല്പനകളും ഉണ്ടായതുകൊണ്ടു വന്നിട്ടുള്ള ദോഷമാണിതു്. അതുകൊണ്ടു് ഇതിൽ അവരെ കുറ്റപ്പെടുത്തുവാനില്ല. ഇതിനെല്ലാറ്റിനും പുറമെ മുൻപതിവനുസരിച്ചു ഈ പ്രാവശ്യവും എലക്ഷൻ നിട്ടിയേക്കുമെന്നു അവർ കരുതീട്ടുണ്ടാകും. അതുകൊണ്ടു ഈ പ്രാവശ്യം അവരെ കുറ്റപ്പെടുത്തുകയുമില്ല. മേലിൽ ഈവക സംഗതികളും സൂക്ഷിച്ചാൽ മതി.

പിന്നെ ഈ കാര്യത്തിനു ഒരു പ്രാദേശിക കമ്മിറ്റി രൂപീകരിച്ചാൽകൊള്ളാമെന്നു പറയുന്നതു് ഒരു ഹിമാലയൻ മണ്ടത്തരമാണു്. ഇപ്പോൾ പഞ്ചായത്തിലെ വോട്ടർമാരുടെ ലിസ്റ്റു തയ്യാറാക്കുന്നതു് പഞ്ചായത്തു മെമ്പർമാരാണു്. അവരുടെ കക്ഷിയിൽപെടാത്ത ആളുടെ പേരുകളും മനഃപൂർവ്വം അവർ വിട്ടുകളയുന്നുണ്ടു് എന്ന ആക്ഷേപം ധാരാളമുണ്ടു്. അതുകൊണ്ടു റവന്യൂഡിപ്പാർട്ടുമെന്റുതന്നെ ഇതു നോക്കി ചെയ്താൽമതി. അവക്കു അതു തയ്യാറാക്കുന്നതിനുള്ള സമയവും അതിനാവശ്യമുള്ള കടലാസും കൊടുത്താൽമതി. ഇത്രമാത്രമെ എനിക്കുപറയുവാനുള്ളു.

***Mr. P. Kumaran Ezhuthassan** *(Vadakkancheri)* :* Mr. President, I am surprised to find, Sir, that the scope of the adjournment motion has been deliberately misinterpreted by Hon'ble Members who spoke before me. One had the apprehension that the life of the Council will have to be extended. Another had the apprehension that as a result of this adjournment motion the date of the election will have to be postponed; and yet from another quarter came the wish of bringing a subject which is uppermost in one's mind, whatever the subject matter of discussion and there is no surprise in it. Let us come to the discussion of the point which is discussed, *viz.*, the indifference with which the Preliminary Electoral Roll has been prepared and published. It is in fact, Sir, a motion which censures the Government in unequivocal terms with regard to the indifference that they have exhibited in the preparation of the Electoral Rolls. The Hon'ble Speaker who just preceded me said that this work is the work of the Revenue Department. That the Village staff is not appointed by the Staff Selection Board but by others. Whatever that be, Sir, it is wrong for any person to say that the Electoral Roll is the thing prepared by the Village Officers. There is a rule which says that the returning officer who is specifically appointed for

*Speech not corrected by the Hon'ble Member.

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the purpose has to prepare the electoral rolls. The electoral roll is not a thing which comes into being on a fine morning. The returning officer, it has been laid down has to prepare a list of persons who are entitled to vote: from that list he has to prepare a preliminary roll which has to be published in the Gazette. The returning officer happens to be the Tahsildar.

Mr. President: Order, order. I should be grateful if the Hon'ble Member would quote the rule which lays down that the returning officer should prepare the list.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Sir, I am sorry it is the Registration Officer.

Mr. President: I think the Hon'ble Member will be well-advised to refer to the rules before he proceeds to quote.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Schedule III (6) says that it shall be the duty of the Registration Officer to cause enquiry to be made and to prepare or cause to be prepared a list of all persons within his registration area appearing to be entitled to be registered as electors in the roll for each constituency. The preliminary rolls shall be prepared from these lists and printed. Now if the Registration Officer utilises the services of the Village subordinates the responsibility cannot be thrown upon the Village Officer who are low-paid men and who cannot have as much responsibility as the Registration Officers. The Registration Officer is to be held responsible but he has enlisted the services of others in so doing. He has to take particular pains to see that correct information is being placed before him. Now, Sir, with regard to preliminary electoral rolls one thing which has to be intimately connected is Schedule II (4) *b*. A person shall be qualified as an elector for a General Constituency who is a pattadar of the State whose land is charged to any land revenue assessment or is a State Devaswam tenant holding lands charged to any land revenue assessment. If there are very many omissions of the Pattadars, names being omitted in the electoral rolls, whose fault is it? There is a register to show who are the pattadars in a particular village. If the list is not properly kept with the necessary corrections and changes it is not the fault of the elector of this Legislative Council. The correct name that ought to be in the Pattadar's register, must find a place in the preliminary electoral rolls. If that is not there it is certainly a mistake which has to be severely dealt with, whoever be the victim. The object of it is to show that the guilty is punished for dealing with a very important subject in such a haphazard way. It is not for getting the life of the Council extended.—It is not for getting the election postponed. It is to see that it is not repeated.—By punishing the person or persons who are responsible for such egregious omisions. Will it not be a surprise to find with an efficient Income-tax Department working in the State the names of many income-tax payers are omitted? Another thing is, a persons whose name is not found in the General Constituency list is found in the Commerce Cconstituency list. Any persons who have taken pains to see how many corrections have been put in with regard to the non-inclusion of income-tax payers in the Commerce Constituency will be surprised to find that the callousness of the officers is something which cannot be condoned in any way. Then again persons holding fiduciary capacity, *i. e.*, not possessing tax qualification in their own name, but being the guarding of minors of certain other persons should not have been put here. But the pages of the electoral rolls contain the names of many of them. These are things which should not be lightly treated. I think the third instance mentioned by the Mover of the motion must satisfy the Government that the roll has been mostly indifferently prepared. The person responsible for the election, his name is not found in the electoral roll. Whose fault is it? Is it the fault of the Village Officer? Whoever is responsible must be dealt with in the proper fashion. An enquiry may be made as to whether the names of all the persons who are entitled to vote in the Landholders' Constituency, the names of persons who are assessed to a tax of Rs. 250 per annum have been included? You will get a negative answer. Again, Sir, there is an opportunity given to any person to object his name being included or any other name to be included, &c. That provision is there for rectifying mistakes which might unfortunately creep in the preparation of the electoral rolls. It is not for the preparation of the electoral rolls. In the Talappalli Taluk where 18,000 voters exist in the 4 General Constituencies I can inform you from a study of the list that was published on the 29th of last month that more than 2,000 names have been omitted. Out of 18,000 the omission is 2,000, *i. e.*, 1/9. The revising authority will insist on all sorts of evidence to prove the claim. It is not so easy to prove the claim. On the other hand, if the officer concerned had taken pains to collect the names that ought to be there would have been much trouble saved. Then again it will be the easiest thing to include men in category (*b*), *viz.*, a person who is a State Devaswam tenant. The omission could have been easily found out if the Revenue Staff had taken pains. The complaint is that they have not taken pains. The result

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is that this haphazard list is before us. The result of the election that is going to be had is not going to be with the votes of all persons who are entitled to vote with the consequence that the House will not be a representative body. It is not to have the life of the Council extended. If the election is done in Meenam, so much the better.

മിസ്റ്റർ സി. കെ. നായർ. വോട്ടർമാരുടെ പട്ടികയിൽ ഇതുവരെ വേണ്ടിടത്തോളം ആളുകളുടെ പേരുകൾ ചേർത്തുകഴിഞ്ഞിട്ടില്ലെന്നു് ചില ബഹുമാനപ്പെട്ട മെമ്പർമാർ പ്രസ്താവിച്ചുകഴിഞ്ഞിട്ടുണ്ടു്. എന്നാൽ എനിക്കു ഈ വിഷയത്തിൽ വേറെ ഒരു സംഗതിയെക്കുറിച്ചാണു് പറയുവാനുള്ളതു്. വോട്ടർമാർ രണ്ടു തരക്കാരാണു്—ഒന്നു നികുതിദായകന്മാർ, മറ്റൊന്നു വിദ്യാഭ്യാസയോഗ്യതയുള്ളവർ. ഒരു പ്രാവശ്യം വോട്ടറായിരുന്ന ഒരു നികുതിദായകൻ എപ്പോഴും വോട്ടറായിതന്നെ ഇരുന്നുകൊള്ളണമെന്നില്ല. ഇക്കൊല്ലത്തിൽ വോട്ടറായിരുന്ന ഒരു നികുതിദായകൻ അയാളുടെ വസ്തു വിറ്റുപോകുന്നപക്ഷം അടുത്തപ്രാവശ്യത്തെ ലിസ്റ്റിൽ സമ്മതിദായകനല്ലാതായി തീരുന്നതാണു്. എന്നാൽ വിദ്യാഭ്യാസ യോഗ്യതയുള്ളവരാണെങ്കിൽ എപ്പോഴും അയാളുടെപേർ വോട്ടേഴ്സ് ലിസ്റ്റിൽ ഉണ്ടായിരിക്കും. ഈ രണ്ടുതരക്കാരുടെ പേരുകളും ലിസ്റ്റിൽ ഉണ്ടൊ എന്നാണു് നോക്കേണ്ടതു്. നികുതിദായകന്മാരുടെ പേരുകൾ വില്ലേജ് പട്ടികയിൽനിന്നു എടുക്കാവുന്നതാണു്. കഴിഞ്ഞപ്രാവശ്യം വോട്ടേഴ്സ് ലിസ്റ്റിൽ ചേർത്തിട്ടുള്ള സ്ത്രീഫൈനൽകാർ ഇക്കൊല്ലവും വോട്ടർമാർതന്നെയായിരിക്കും. കൂടുതലായി വല്ലവരും സ്ത്രീഫൈനൽ പാസ്സായിട്ടുണ്ടൊ, അവരിൽ വീ വയസ്സു തികഞ്ഞിട്ടുള്ളവരുണ്ടൊ എന്നമാത്രമെ നോക്കേണ്ടതുള്ളു. അങ്ങിനെയുള്ളവരുണ്ടെങ്കിൽ അവരെമാത്രം ലിസ്റ്റിൽപെടുത്തിയാൽ മതിയാകും. നെന്മാറയിലെ സ്ഥിതി പറയാം. സ്ത്രീഫൈനൽ പാസ്സായവരുടെ പേരു സമ്മതിദായകന്മാരുടെ പട്ടികയിൽ ഉണ്ടെന്നു പറയാമെന്നേ ഉള്ളു. രണ്ടൊ നാലൊ ഉണ്ടാകുമായിരിക്കും. ലിസ്റ്റുകൾ തയ്യാറാക്കുമ്പോൾ യാദൃച്ഛികമായി എത്തുപെട്ട ചിലരുടെ അപേക്ഷയാകാം ഇതിന്റെ കാരണം. ബാക്കിയുള്ളവരെ ആരേയും ലിസ്റ്റിൽപെടുത്തികാണുന്നില്ല. അവർ ഇപ്പോൾ ക്ലെയിം കൊടുക്കണമെന്നാണു് പറയുന്നതു്. അതുകൊണ്ടവസാനിക്കുന്നില്ല. വീ വയസ്സു തികഞ്ഞ സ്ത്രീഫൈനൽകാരാണു് താനെന്നു അപേക്ഷകൻ പരിശോധനാധികാരികളെ, തെളിവു ഹാജരാക്കാതെ ബോദ്ധ്യപ്പെടുത്തുകയും വേണം. സ്ത്രീഫൈനൽ സർട്ടിഫിക്കറാണിതിന്നാവശ്യം. അതു സ്റ്റാഫ്സിലക്ഷൻ ബോർഡ് ലിസ്റ്റിലുമായിരിക്കും. അതായതു തെളിവു കൊടുക്കുവാൻ പലർക്കും സാധിക്കാതെവരുന്നു. തെളിവുകൊടുക്കാൻ സാധിക്കാത്തവരുടെ ബുദ്ധിമുട്ടാണു് മറ്റൊന്നു്. അവകാശംകൊടുക്കുന്ന ഓരോരുത്തർക്കും ഇരുപതിലധികം നാഴികദൂരത്തുള്ള ചിറ്റൂരപോയി വേണം തെളിവുകൊടുക്കാൻ. ഇങ്ങിനെ മാനക്കേടിൽ പലരും പഴിച്ചേക്കും. അതിനാൽ വീ വയസ്സു കഴിഞ്ഞിട്ടുണ്ടെന്നു പ്രതിജ്ഞചെയ്തു ഒപ്പുവെക്കുന്നതൊടൊപ്പമുള്ള പരീക്ഷായോഗ്യതകൾ മറ്റു തെളിവൊന്നുംകൂടാതെ സ്വീകരിക്കുമാറാകണം. ആരെങ്കിലും കളവു ചെയ്തതായി വെളിപ്പെട്ടാൽ അവരെ അന്നു പ്രോസിക്യൂട്ടു ചെയ്യാവുന്നതുമാണു്. ഇങ്ങിനെ ഒരേപ്പുടാണു് ഈ ഘട്ടത്തിൽ പ്രത്യേകം ആവശ്യമായിട്ടുള്ളതു്. വിദ്യാഭ്യാസയോഗ്യതയുള്ളവരെ വിട്ടുകളയാതിരിക്കാൻ വില്ലേജുദ്യോഗസ്ഥന്മാരെ ഉപദേശിന്നതു് ഭാവിയിലെ കഴപ്പുണ്ടാം കുറക്കാനുപകരിക്കയും ചെയ്യും.

***Mr. P. P. Devassy** *(Trichur-South)*: Sir, one point I wish to bring to the pointed attention of the House is that the omissions are mainly concerned with the names that are already in the list that must be before the officers concerned for the preparation. I cannot understand how the short of space of time that is available before them can be pleaded as an excuse for not putting the names that are already in the list before them. I may tell for the information of this House that even the names of some of the sitting members including that of the speaker are not in the electoral roll as it stands to-day, both Trichur-North and South. Over-work cannot be pleaded as an excuse for not looking into the list that is already there. The proper and the easiest method is to place the list that is already there, to add new names, omit the names that are dead and thus have the consolidated list. It can very easily be seen with reference to the preliminary electoral roll that the people concerned with the preparation of this list have not cared for a moment to look into the names that appeared in the list. If they had taken pains, I am sure they cannot have any explanation for the omission of such names as are already in the old list. Of course it may be said that the Village Officers are not responsible for the preparation of the list for the Municipal area, it might be the Municipalities that are responsible. It is none

*Speech not corrected by the Hon'ble Member.

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of my function to fix the blame on any particular section. Whoever is responsible, either the Municipality or the Village Staff, they have been callous in the matter. Probably they do not feel that the preparation of the electoral roll deserves any special attention, that it is a matter that has been taken for granted, that a list will be prepared, that some corrections will be made and that the elections will be held. Whatever be the nature of the list, the quality of the list, whether it is perfect, whether it is highly defective, that is not the look-out of the officers, and the Government, I am afraid, have not taken the matter in such a serious fashion that the officers concerned will very easily devote any attention to the preparation of the electoral roll. Therefore the object of this motion, I believe, is discussed, that it is a very serious matter requiring very special attention. I believe if not now at least in the future there will be perfection in the list that is prepared. It cannot be pleaded as a mitigating circumstance that the officers concerned had other work to do, that the time available has been so short and that it has been done in a very hurried fashion. I would therefore request the Government that the best may be done to make the list as perfect as can possibly be under the circumstances now obtaining.

*Mr. A. B. Salem (*Mattanchei*): The preparation of the list is the first item in the elections and it is the duty of the Government and of this House to see that the list is prepared as perfectly as possible in the preliminary stage. Corrections and additions can come afterwards. Very stringent rules have been laid down for the preparation of the list because that is the rock bottom in which the whole edifice rests. The right of franchise is a very valuable right and it should not be defeated in any way by any officer concerned. Rules relating to this matter of franchise are laid down on page 109 of the Government of Cochin Act. That is rule 7. An electoral roll shall be prepared for every constituency on which shall be entered the names of all persons *prima facie* entitled to be registered as electors for that constituency. It shall be published in the Gazette. Why is it published in the Gazette? So that it may have the widest possible publicity. Under the conditions that the war has brought about we have dispensed with that and therefore the widest publicity is restricted at this time. Therefore all the more vigilance must be bestowed in the preparation of the list. The next important rule regarding the preparation of the electoral roll is rule 4 on page 132. A person shall be qualified as an elector for a General Constituency who is a pattadar, etc., (*a*) to (*g*). It includes all those persons who are taxed either in the Municipality or who pays any land tax out-side or a fishing stakes tax or any tax whatsoever. As for the tax-payers there is no difficulty. There is no difficulty to my mind to find it out. Tax-payer's list is from time to time an annual list. The tax collecting officers have that list. That list may *ipso facto* be copied from the various circles where the lists are prepared. One other rule comes in here that is regarding (*g*). Any one who has passed the School Final Examination (declared eligible for Public Service or College Admission or both) or its equivalents such as the Cambridge Senior or the Matriculation or the Oriental Titles Examination or Sanskrit Pandit's examination and such other tests as may from time to time be prescribed by the Government in this behalf. That is the extension of the franchise. Franchise went beyond the payment of money and recognised intellectuals, and the intellectuals as a body come in *viz.*, all those who have passed any of those examinations or tests. Now that is a very important matter. As already sufficiently pointed out a person who has once passed these examinations can never be disqualified. A person who has been paying tax in a year may not be paying tax in the next year, but a person who has passed the School Final is always a School Final, till his death. Once he goes into the list there is no justification of any kind to remove that man from that particular list unless death is established or some other disqualification by which his name must go from the roll is established. One rule is there, shelter may be taken under this rule that any person who wishes to go into the rolls can apply to the Registration Officer for the inclusion in the electoral roll. True. How many times should he apply? If he once applies, the rule is satisfied. He has only to apply once in his lifetime to go into the Rolls. It is mentioned "who wishes to go into the rolls". If he expresses his wish once, that rule is satisfied and to my mind, his name must always be there. What is the difficulty to find his name? Absolutely no difficulty. A list of all the School Finals who have passed in the Cochin State Examination will always be ready in the Office of the Director of Public Instruction. The list of School Finals who have passed year after year are published in the Gazette. The entire list will be there with the different schools in the different areas. So there is absolutely no difficulty.

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*Speech not corrected by the Hon'ble Member.

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Mr. A. Eachara Menon *(Chittur-Rural)*: Suppose he has not been there for 120 days.

Mr. A. B. Salem *(Mattancheri)*: I say in preparing the preliminary electoral roll we have got these data which are Government data for which you have not to go outside the Department. Then the other rule is rule 6 (*a*) at page 136 which says about the preparation of the electoral rolls by the Registration Officer. The duties of the Registration Officer may be performed by his deputy. Then there is one other rule. That is rule 9 on page 139. "The Registration Officer may of his own motion remove from the rolls the names of persons whom he has reason to believe to be dead and may make such other corrections as may be necessary. Then there is rule 16 on page 140. The Returning Officers and the Registration Officers shall keep copies of the rolls or parts of rolls and the lists of additions and corrections for inspection and sale in their offices and for supply to the presiding officers at the polls. The word "additions" is only there. In all other places it is correction. The law has contemplated the possibility of additions in a matter like this. This is a fit case in which that power should be exercised. If the Government comes to the conclusion that the lists have not been prepared happily, I will not go beyond that. Get it corrected. It is seen that the Diwan's name or the acting Diwan's name is not there. It is scandalous to have such names omitted. Therefore time has come and the reasons have been established for an additional list of voters to be prepared. The Registration Officer has the power to do that and there is no difficulty. Names of persons who have passed the School Final Examination have to be added. Now persons with educational qualifications are not given the power of voting by removing their names. It would be a shame to stand and look on for correcting such a position. Therefore, I would request you to see that the list of additions is prepared and published. It is not too late. Only on the 13th the Revising authorities have been asked to finish their work. It is not very late. In 10 days' time it can be finished. After all, the Cochin State is very small. It consists of 279 villages and you have got 279 Parvathiams. I would therefore suggest to the Government to take expeditious steps kindly to see such a scandalous state of affairs is not made the basis of the election even in war time. What is going to come? We want election. But *we must go through the procedure correctly and properly.* There are cases in which the names of persons have been purposely omitted at the instance of candidates. If somehow the date fixed for putting the claim is passed his name will not be there and he will have to look up to the stars. Is such a thing to be tolerated by the Government or by those in authority or in a charge of the preparation of the lists? Therefore, it is suggested that the preliminary roll shall be prepared as correctly as possible. I therefore think that I have said sufficient and given constructive suggestions to the Government to get over the difficulty—the list of additions and corrections may be ordered to be made.

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur)*: If wrong additions are made how can we raise objections?

Mr. M. Sivarama Menon *(Advocate-General)*: The additions are made only by the Revising authorities sitting openly and taking evidence.

Mr. A. B. Salem *(Mattancheri)*: You have done away with the publication in the Gazette. Publicity is not there. What is the difficulty in making the list of additions? There is absolutely no difficulty. It is much better to do that than deprive people of their franchise that the law has given them. Certainly the technicality is there. It can be used this way and the other way. So apart from technicalities. Heavens are not going to fall down if one week's time is allowed. In the time we have got we shall have the thing done. There is no great hurry. Elections are to come only in Edavam. We have only to prepare the list of additions. Have it revised and added to the list. What is the difficulty ?

Mr. President: The Hon'ble Member has exceeded his time.

*Mr. A. V. Moothedan** *(Chalakkudi)*: I wish to add a few words. In the present electoral rolls there are two defects. The first defect is a large number of voters whose names ought to be in the list are not there. Secondly, there are a lot of mistakes in the names. Regarding the first it has been very repeatedly argued that there has been glaring and obnoxious omisions of names. I do not want to dwell any further on that point. I have something to say about the Melur Village. There ars 650 voters and about 150 names are omitted, that is 25 per cent. 5 per cent mistake can be allowed but 20 per cent cannot be allowed. Any person who makes 25 per cent mistake cannot be excused. Regarding printers' mistakes there are several. How it occurs I shall explain. These Village Menons are writing Malayalam and they pass on to the Registration Officer and then to the printing press. In Malayalam "Mathunni" when it is written

*Speech not corrected by the Hon'ble Member.

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can be read as Chathunni because the "ത" becomes "ന". A Christian becomes an Ezhuva. When the electoral rolls have been prepared those officers who prepared the list should be asked to revise the proof. What is the difficulty? There are two advantages. The first is they will be able to read their own handwriting. If there is any person who is not able to read his own handwriting then he should be dismissed. The same officers who prepared the list should be asked to revise the proofs. In that case a good deal of mistakes could be avoided. It has been argued and stated by some of the Hon'ble Members, that a School Final voter is always a voter. That theory I am unable to subscribe to. First of all there is the question of 120 days. The person who belongs to C. K. Taluk must have been in that Taluk for 120 days. He might have been there for two or three years but when the final list is prepared he has to be there. If he is not there he is not a voter in C.K.Taluk. Apart from that there is another difficulty as pointed out by the Hon'ble Member but I do not agree with that. Any person of either sex who is duly qualified for the franchise under clause (g) and who wishes to go into the rolls should apply to the Registration Officer for the inclusion of his or her name in the electoral rolls. My Hon'ble friend interpreted that once he has made an application no fresh application has to be made till his death. That is not correct. The rule is every time a notification is issued a School Final who wish to go into the rolls should apply. My friend's argument that once a School Final has applied his name should always be there is a fallacious argument. Part III, para 7, clause (3) says that the electoral roll shall come into force and shall continue in force for a period of three years or for such other period as Government may prescribe. Therefore, this electoral roll is modified only every three years. Therefore when the list is prepared, if a School Final ought to be a voter he should claim according to the law. Therefore, what I argue is according to the present law a School Final man need not be there unless he is able to vote.

There are very glaring mistakes in the preparation of the electoral rolls. The names of persons who are well-known in society and who are B. A., B. L.s are omitted. There are such glaring omissions. I think it is done with haste and slip-shod indifference. It should be remembered that it is a very valuable right of a citizen. Non-official citizen can elect a member and send to the Council to fight against the Government. That right is a very valuable right. What they can do is they can attack the members of the Government. No purpose would be served by passing this resolution. The market is over and the festival is over because the time is over. School Final people cannot give their claims. If some more time is allowed more people would come forward. Last week I had a small experience. One gentleman came to me and said that he wanted to stand as a candidate. I asked my friend whether he has got his name verified and whether his name was on the list. His name was not there. What a disappointment to that Hon'ble friend when he finds that when he wants to stand as a candidate his name is not included! Such disappointments should be avoided, at any cost. I request the Diwan Peishkar to give more time. The preliminary electoral roll was prepared with great hurry. They are asked to write 20,000 names in one week. What I submit is the Hon'ble Revenue Member may appoint more officers to prepare the list. They should be given more time to prepare the list. Then there would be less mistakes and the public will be satisfied and there will not be any complaints. With these remarks I conclude.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether the Hon'ble Revenue Member knows if the Diwan whose name is omitted is a tax-payer here?

Mr. M. Sivarama Menon *(Advocate-General):* With your kind leave, Sir, I may say a few words. It is not my purpose at all to speak upon the merits of motion, but only to point out that some of the interpretations put on the rules are not acceptable. The first point raised is why not include the names of the Verumpattamdars with joint registration of their holdings in the voters' list. As a matter of fact this House knows very well that at the time when the rule was framed extending the right of vote to the holders of Kannm, Adima, Inam and other cognate right, the question of permanency of tenure to verumpattamdars was not even contemplated. Therefore the question is whether the Verumpattamdars should be considered as eligible for vote, Under the existing law a Verumpattam holding cannot be taken to be a Kanam, Adima, Anubhogam or Inam. Under the existing rules it is not possible to include them in the voters' list.

The second point was with regard to the School Finals, which has been effectively answered by the Hon'ble Member for Chalakkudi. I do not think the Hon'ble Member for Mattancheri is right in saying that once the name is entered in the rolls that should remain in all the rolls until his death. There are some essential requirements regarding residence, age, etc. A School Final who has attained the age of 21 should also have the residential qualification. He might belong to

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one constituency and be living in another. His name will have to be in the latter constituency and not the former. Therefore without practically enquiring into such matters we cannot say that his name should be entered in that constituency. Therefore what I say is the Revenue Officers are up to commit more mistakes if they rely upon the old list. Therefore under the law in the case of School Finals it is laid down that they must apply for the entry of their names in the list. Their civic consciousness must be such that if they want to vote they must claim their votes and see that their names are included in the voters' list. I do not want to pre-judge the issues and questions which might have been agitated before the Revising Authorities. The point raised by the Hon'ble Member for Mattancheri was whether the Registration Officer could not by virtue of these rules remove the names of dead persons as well as introduce the names of persons who might be really entitled to vote, even though they have not preferred claimes. Such a power has not been vested in the Registration Officer. If there are persons in the list who are dead, then he could remove those names and when it appears to him that there are clerical mistakes or names incorrectly put—as stated by the Hon'ble Member for Chalakkudi, he can correct such mistakes also. It is a faulty interpretation to say that these officers have the right to include or omit the names as they like. Each roll must be considered independently. With regard to the tax-payer there is a register showing the names of Patta-holders. That register is also subject to correction. Whenever there is a change of registry intimation will be given to the Village Office so that the register may be corrected. If it is found that several names contained in the register are not seen in the electoral roll, then it may be said that an officer has been negligent.

Mr. A. B. Salem *(Mattancheri):* Can't the officers change such names as Mathunny into Chathunny and so on?

Mr. M. Sivarama Menon *(Advocate-General):* In order to avoid such and other clerical mistakes the Registration Officers are allowed to make corrections. It does not give them any wider power.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Sir, I may be repeating for the sake of continuity and comprehensiveness some of the points met by the Advocate-General. I may kindly be excused for that. I shall first begin by saying that for each election there must be a separate voters' list. The list that was there till now will continue to be in force until the new list is ready but that will be the basis for the preparation of the new list. But we are not merely to copy that list here where copying is not justified by the rules. In other matters we may copy. As the Hon'ble Member for Chalakkudi said the voters' list to be prepared for the next election has to be a fresh voters' list. In that list all those persons whose names, whose categories have been enumerated here have to be entered. Their names have to be entered and in doing so the procedure that is adopted for entering those names, if any procedure is laid down by the rules must also be followed, not merely copying as the Hon'ble Member for Mattancheri said. It was with that object that I prefaced by saying that to begin with for every election there must be a fresh electoral roll. The previous roll, if at all to be used is only for the facility of preparation of the new roll. With this premise we go to the Rule 4 of the Legislative Council Electoral Rules. That Rule enumerates the kinds of persons subject to certain other things which we will go into later, rule on age-bar, residential qualifications, etc. With those restrictions we go to Rule 4 that enumerates the kinds of persons who are entitled to be in this list provided they satisfy the conditions about the age, residential qualificatian, etc,—one should not be mad—with these restrictions or disqualifications we go to this rule. The first is the Pattadar whose land is charged to any land revenue assessment. The Mover of this motion assumed, I don't think with any justification so far as I know, that a Verumpattamdar comes under that. He said that the Verumpattamdar's Act has made a Verumpattamdar of the State a Pattadar and therefore he is entitled to come under that category. Now with that explanation of his, that impression of his, let us try to explain how such a large number of persons whose names according to him ought to have been been, are not there. There are a large number of Verumpattamdars in the State.

Mr. M. Krishna Menon *(Trichur-South):* I accept the explanation of the Advocate-General so far as I am concerned.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* Because their names are not there it is said the list is vicious.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* But he has accepted the explanation.

Mr. President: Hon'ble Members will do well not to interrupt.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Even after he has accepted the explanation why should there be any reference to that point?

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Mr. President: The Hon'ble Mover has brought forward this as an instance of the faulty preparation of the roll. The Diwan Peishkar is perfectly right in replying to the point even though the Hon'ble Mover now admits that he was wrong.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* So it is wrong to say that the list is defective on account of this. The question that they should be given a vote is entirely a different matter. The Hon'ble the Advocate-General referred to another clause which might according to some other people, though not the mover, bring another set of persons under the category *i.e.*, clause (c), tenants of landholders holding lands on Kanam, Inam, etc., charged to any land revenue assessment. So far as that is concerned, Verumpattam is not a tenure cognate to Kanam, Adima, etc. Those are tenures which have got other characteristics also in addition to permanency attached to them. Therefore merely because the Verumpattamdars' Act makes a Verumpattam tenant a tenant having a permanent interest in the land it does not make him a person to be classed among those other persons like the Kanamdar, Adimadar, etc.

Mr. President: I must remind the Hon'ble Member that his time is limited. He will be well-advised not to labour points already covered by the previous speaker.

Mr. A. Madhava Prabhu (*Diwan Peishkar*)*:* Coming to the next category of persons, *i.e.*, School Finals, it is a matter which has been dealt with already. I should place in justice to those persons who have been accused of indifference that they are perfectly right in not including a single one of those persons. The clause (*g*) says that those who wish to go into the list may give their names to the Registration Officers. It is only an optional right, it is not an absolute right. That is, unlike in the other cases only those who wish to go into the rolls need apply to the Registration Officers for inclusion of their names.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* May I know whether the preliminary rolls contain any names of this class?

Mr. A. Madhava Prabhu *(Diwan Peishkar):* It has to be acertained. I have not investigated into it. We are now addressing on matters about which we are not sure. That is, those who wish to secure votes should apply. If a large number of omissions is found in the town lists it should not be thought that any sort of shifting of blame is intended in this matter. It is in town that we have got a large number of educated people. It may be that most of the voters, 4,000 or 5,000, in number, are of one Village in a town. Taking everything together there may be 4,000 or 5,000 in the groups of villages forming a town who may be omitted. The reason for this omission is that the educated people who come under clause (*g*) have contributed to this large number. If the Registration Officer omitted them by this interpretation you cannot blame them. Their omission is but right.

I am going to the other category, *i.e.*, about the qualification of Pattadars. You can take it for granted, because I have seen myself, that all the lists are compared with the land revenue register. The list is simply copied out from the register as it stood on the last Jamabundy day. If a man dies or if he assigns his land to another until the new man's name comes in, until the new man's registry is accepted and the new pattadar is brought in, the old pattadar will continue. The names as then stood in the Revenue Records are there without any doubt. I can say that, except in the Municipal areas about which I have no information, special Parvathiams have been deputed for the preparation of the rolls and that is why I say I have myself at the time of the Jamabundy taken care to see that these rolls are prepared according to the rules and instructions that have been given. It is possible that in spite of these things, in some places there have been omissions. Mr. Ezhuthassan says, there have been omissions in some area. If he would tell me the area from which the names are omitted I shall try to investigate and rectify but that can never be a wide occurrence. Special Officers were appointed and entrusted with this work and they were specially instructed to see that no mistake was ever committed in the matter and the lists were prepared in the proper manner. I do not know if the Municipalities appointed special staff for this and whether they have been able to prepare the lists in that careful manner. My submission therefore is that so far the preliminary list is concerned we have done it in the proper method and manner using the land revenue registers which contain all the necessary particulars which are wanted in clause (*a*), etc.,—Pattadars, Devaswam Tenants, etc. Then comes the Municipal tax qualification. So far as that is concerned the list is prepared by the Municipalities. As for fishing stakes that belongs to the Revenue Department. So far as these matters are concerned we could follow the old electoral roll and supplement that information by our land revenue registers. We have done it in the manner in which one could possibly do it. Knowing that these Village Officers would say they had 1,000 other items of work to attend to and the time at their disposal was so short I took care to see that certain persons were deputed for this purpose. If specific instances are pointed out I will take action.

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Mr. A. B. Salem *(Mattancheri)*: As far as the (*g*) qualification is concerned, may I know whether instructions have been issued to omit all those who have this qualification and put in only persons who applied?

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: The Rules are there and no instructions are necessary. Every Registration Officer published in the Gazette as soon as he got the order for preparation of preliminary electoral rolls a notification saying that persons coming under clause (*g*) are called upon within such and such a date to submit an application with the following particulars—age, residence, etc.—age is one of the most essential qualification. As I said before the right is an optional right and not an absolute right.

മിസ്റ്റർ സി. കെ. നായർ: എലക്ടോറൽറോൾ പ്രിപ്പയർ ചെയ്യുന്നതിനുമുമ്പുള്ള അപേക്ഷകന്മാർ തെളിവു കൊടുക്കണമോ?

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: I think that is accepted as correct. I am not aware of any instance of objection being taken on the ground that no evidence is adduced. A man says that he was 21 years of age on such and such a date. The declaration is made there and I have not come across any instance till this moment in which an objection has been taken to that.

മിസ്റ്റർ സി. കെ. നായർ: അങ്ങിനെയാണെങ്കിൽ ഇപ്പോൾ എടുക്കുന്നതുകൊണ്ട് എന്താണു വിരോധം?

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: It is a judicial body whose proceedings I am not in a position to question.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: So we are at their mercy.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: If he wants to get his name entered in the roll he can do so. It is not an absolute right. The pattadar has got the right to be on the roll without application. In the section it is said the Government shall prepare by including his name. It is not like that here. If he does not wish, he cannot be forced to have his name there. Even afterwards he can say I did not want my name to be there.

Mr. A. B. Salem *(Mattancheri)*: My question is with reference to the names of School Finals whose names have already been entered in the previous list?

Mr. President: The question has been clearly answered by the speakers on behalf of the Government. The answer is, they must apply each time.

മിസ്റ്റർ സി. കെ. നായർ: ഇപ്പോൾ റിവൈസിംഗ് അതോറിട്ടി എവിഡൻസു വേണമെന്നു പറയുന്നുണ്ട്.

Mr. A. Madhava Prabhu *(Diwan Peishkar)* We have called upon individuals to put in their claims. If they want they can come in with their claims. That is all.

മിസ്റ്റർ സി. കെ. നായർ: ഇപ്പോൾ ഞങ്ങളുടെ തെറ്റ് ഇതിനുമുമ്പ് കൊടുത്തിട്ടില്ലെന്നുള്ളതാണ്. സ്കൂൾഫൈനൽ പാസ്സായിട്ടുള്ളവരോട് രണ്ടു പ്രാവശ്യം അപേക്ഷ അയക്കുവാൻ പറഞ്ഞിട്ടുണ്ട്. ഒന്നു ലിസ്റ്റു തയ്യാറാക്കുന്നതിനുമുമ്പും പിന്നൊന്നു അതിനു ശേഷവും.

Mr. President: The Hon'ble Member will kindly not interrupt.

Mr. A. Madhava Prabhu. *(DiwanPeishkar)*: ലിസ്റ്റ് പ്രിപ്പയർ ചെയ്യുന്നതിനു മുമ്പു ക്ലെയിം അയക്കുവാൻ ഞങ്ങൾ പറഞ്ഞിട്ടില്ല. It is not a matter of concession. The revising autherity considers the claims made. There are three members in every revising authority and if all of them say that they want documentary evidence to support the claim you have to satisfy them. If a judge of a court thinks that he is not satisfied with oral evidence you have to adduce documentary evidence.

മിസ്റ്റർ സി. കെ. നായർ: ഇപ്പോൾ ക്ലെയിം കൊടുക്കുമ്പോൾ സ്കൂൾഫൈനൽ പാസ്സായിട്ടുണ്ട്. ഫോം വയസ്സു തികഞ്ഞിട്ടുണ്ട് എന്നുള്ളതിനു് എവിഡൻസു് കൊടുക്കണമെന്നു പറയുന്നു. എന്നാൽ മുമ്പ് അങ്ങിനെ എന്തുകൊണ്ടു പറഞ്ഞിരുന്നില്ലെന്നാണ് ഞാൻ ചോദിക്കുന്നതു്.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: But there we have a right of appeal. Here there is nothing.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: That is a different matter. So far as the wording of the motion, ie., indifference shown in the matter of preparation of the electoral roll, I would say.....

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Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* What about omissions of those covered by clause (*a*)—Income-taxpayers about which you have very correct records?

Mr. A. Madhava Prabhu (*Diwan Peishkar*): I do not know whether there have been any omissions. Those are assumptions.

Mr. A. B. Salem (*Mattancheri*): The public want to know whether fresh applications of the School Finals are necessary every time?

Mr. A. Madhava Prabhu *(Diwan Peishkar):* That is what the rule says. It is not for me to give an authoritative interpretation. If the matter comes to an Election Court, the court will tell you what exactly the interpretation is.

Therefore, my submission is no case has been made out to condemn the action of the officers responsible for the preparation of the electoral roll. Whatever could be done has been done. Of course it is possible that something more could have been done, but whatever possible has been done. So far as the time for putting in objections is concerned, when we came to know that there was a cry from certain quarters that a number of names were omitted, especially in Trichur town there was a reference made by the Government, the Government suggested one week's time, but I said we will give 12 days' time, the maximum that we could give consistent with the programme that had been laid down, because we have laid down that after such and such a thing there must be such and such a period, statutory periods between each item; we gave them the longest time that was possible. Therefore you would see that the Government has been extremely anxious to see that the thing is done in the best manner possible.

Rama Varmha Tampuran, M. B. E. *(Secretary to Government):* Sir, with your kind permission I may add a few words. This subject came to the notice of the Government more than two weeks ago. There were references in the Press referring to the same complaint. Otherwise also the Government came to know that certain complaints of this sort were in circulation in the State and the Government wanted to ascertain how far there is truth in these rumours. Now, for one thing it is impossible for any Government to come to a conclusion with regard to this matter unless the revising authorities have passed orders on the claims preferred before them. And it is our common experience, it is my experience that when a clerk has omitted to write something, and when I question him on the point, he gives me a satisfactory reply and I am satisfied. Similarly, some people think that some names are not there, because some people think that their names should have been there, we should not jump to the conclusion that the Registration Officer has gone wrong. We can come to the conclusion only after the revising authority has passed definite orders. There will be opposing parties; evidence will be taken and orders will be passed by the revising authority. Only after the revising authority has passed final orders can we say whether the officers have really gone wrong, and to what extent they have gone wrong. And after all, these Registration Officers are not village officers. They are Tahsildars in the Taluks and they are experienced officers. They have been Tahsildars for long periods, or they have been in the Secretariat as Superintendents, for long periods, or they have been Managers of other important Heads of Dapartments and they are people who know and are responsible and feel responsibility when such tasks are assigned to them. Therefore, we cannot light-heartedly, simply because a few claims have been referred before this or that officer, say that there has been a complete neglect in the discharge of this work. It is really very unfair to them. It may also be very incorrect. Not only it is unfair to them, it will also be really incorrect. Therefore, there is really no material before this House now to come to a conclusion on the point at issue. Until the revising authorities have passed orders on the claims, how can this House say that the work that the Registration Officers has done has been wrong or has been incorrect.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* We shall wait and see.

Rarma Varmha Tampuran, M. B. E. *(Secretary to Government):* You may, and at the proper time bring in a motion. It is premature, I say.

Then there is also another point. We looked into the old list and found out how many claims were admitted last time, at the time of the last election, that is about 8 years ago, and we found that 5,000 claims have been admitted by the then revising authorities. We could not get the records as to how many claims were preferred, but we know that 5,000 claims were admitted. Well, that is not a very small number. Therefore, in the preparation of such lists, there will be a few stray omissions. There will be a few mistakes and the very structure of the electoral roll is, or anticipates, that there will be such omissions and that is the very reason why sufficient time is given for claims to be preferred before revising authorities and this time certain

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bodies wanted the time to be extended. They said that the whole of the Christmas Vacation may also be added on and the last date for filing fresh claims may be put near early in January. That request was also conceded. Therefore, what I say is that even if there has been some slight omission here and there, ample time has been provided to correct those mistakes.

Now, without going very much out of my way, I may put in a word of criticism. If every one of us takes as much interest in these lists as we ought to do, then it is very easy to correct these lists. Really that does not happen. The burden falls on a few selected people. We are not really acting according to the spirit of the franchise. If only we are doing that, the time that has been allowed, over 14 or 15 days, or 20 days, is more than sufficient to correct any stray mistakes that might have crept in. I would also just mention one more point. As a mattes of policy in which this House in interested, not so much the Goverement, the House as a whole, I would also suggest that such an omission as this should not be put to vote. We are proceeding for an election. This is the basis and the foundation on which the whole election is to proceed.

Rao Sahib K. Ayyappan (*Ezhuvas-Kanayannur*): The report of your speech will be there.

Rama Vramha Tampuran, M. B. E. (*Secretary to Government*) : It may be there. But the House should be satisfied and should not.....

Mr. A. B. Salem (*Mattancheri*) : In view of the fact that the list is not notified, we want some little light upon the matter. We are on the preliminary list.

Mr. President: Orde, order. The Hon'ble Member will kindly not interrupt.

Rama Varmha Tampuran, M. B. E. (*Secretary to Government*) : That is quite a different point. I am on the question whether it was proper for the House to come to a decision on this motion. The Government have acted under certain rules. The publication of the lists would take up a lot of paper. There is scarcity of paper for which nobody is particularly responsible, and unfortunately we may not have sufficient paper to get through so many copies of the list. That is a different question.

These are the fundamental facts of the situation and I would request the Hon'ble Mover to consider all these facts and aspects of the situation before he decides to take the final plunge.

Mr. M. Krishna Menon (*Trichur-North*) : Sir, after hearing the able speeches from the Treasury Bench, I must say that I accept the elucidation given to us by the Advocate-General with regard to the sub-pattadars, but in regard to the reply by the Hon'ble Member for Revenue, I have one satisfaction that it was only an academic discussion which he had because he said it was only on assumptions that he spoke and not on facts. With reference to the electoral roll, Sir, we on this si e have analysed the roll and we found serious omissions. There is no gain-saying that fact. We are not prepared to speak on assumptions. We are interested in the elections and we have analysed the roll and our hearts break when we see that a number of voters' names are not on the roll. Were we wrong then in having used the term 'indifference" ? We felt that there was indifference on the part of those who were responsible for its preparation. The Diwan Peishkar may not be responsible. For this, his immediate subordinate may not be responsible for it, but somebody must be responsible for it. I know wherein lies the defect. Instructions had not been properly issued to those enumerators as to the way in which they must prepare the list.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): That has been conceded.

Mr. M. Krishna Menon (*Trichur-North*) : If that has been conceded, other things follow. I know that the enumerators have been going roud the houses and asking whether there are School Finals in the houses. I know that the names of graduates and those with higher qualifications have not been noted, but only the names of School Finals have been noted.

As to the interpretation put upon clause (*g*) (3) that any person who is eligible to vote under that clause should put in an application every time, is not acceptable to this House, Sir. In that case, the name of no person under that category should find a place in the list. Some are there, and some are not. How is it that some of these names find a place there ? You have replied on assumptions, but the facts are otherwise.

So far as the Hon'ble Chief Secretary's reply is concerned, he has thrown to this Hon'ble House a few suggestions. I thought he was going to say that it is better so far as the candidates are concerned to have few number of voters. But on the other hand the suggestion, that it is only after the work of the revising authority is over that the issue could be raised on the floor of this House is marvellous. Sir, in his opinion this motion may be premature, but we were pained,

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Sir, to see that very many names were omitted from the list. The citizen has been deprived of his primary right. It is simply to bring forward this matter that I have tabled this adjournment motion.

With regard to the one point raised by the Hon'ble Member for Ezhuvas-Mukundapuram, I console myself that it was simply a feat of adulteration—adulterating the Staff Selection Board principle to this all-important and urgent matter. I may tell my Hon'ble friend all at once that I will prefer the perfection of the electoral roll to the abolition of the Staff Selection Board. But after the perfection of the electoral roll. I would myself cry that the Staff Selection Board is detrimental to our Services. And I will take the liberty, and I have the audacity, to point out mistakes, whether it is done by the Staff Selection Board clerk or it is done by a Parvathiam. We are here to point out the mistakes, if there are any, and it is our liberty to do so.

I do not press the motion, Sir.

Motion, by leave, withdrawn.

The House rose for the day at 5-10 p.m.

N. S. RADHAKRISHNA SARMA

Secretary to the Council

LIBRARY ARCHIVES Kerala Legislative Assembly

APPENDIX I

(Please see answer to Question No. 154(d))

		Net Revenue	Establishment charges
1.	*Land Revenue*		
	1118	Rs. 12,29,321	Rs. 2,64,856.
	1119*	,, 12,25,000	,, 3,37,474.
2.	*Excise*		
	1118	,, 24,13,506	,, 2,28,489.
	1119	,, 36,05,300	,, 3,25,081.
3.	*Forest*		
	1118	,, 6,74,163	,, 1,23,576.
	1119	,, 10,75,712	,, 1,66,959.
4.	*Income-tax*		
	1118	,, 31,60,664	,, 22,437.
	1119	,, 36,33,411	,, 26,403*

* Figures tentative.

APPENDIX II

(Please see answer to Question No. 162)

Taluk-war List fo Viruppu Paddy Purchase

Name of Taluk	*Quantity purchased in 1119*			*Quantity purchased in 1120 till 15th November 1944/30th Thulam 1120*		
Cochin-Kanyannur Taluk	1,49,493	5	8	54,783	5	14¾
Cranganur	132	0	0	600	0	0
Mukundapuram	1,63,166	1	12	1,55,045	2	1
Trichur	1,15,380	7	12	1,75,157	6	4½
Talappalli	7,24,251	9	6	9,15,025	0	0
Chittur	6,77,116	2	0	6,34,039	9	0
	18,29,540	6	6	19,34,651	3	4¼